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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/517,149

Applicant(s)

HORII, MINORU

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

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## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

2. Claim 16 is objected to because of the following informalities: "said first image" on line 2 appears to be "said first image." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuboi et al (US 4,958,221).

Regarding claim 1: Tsuboi teaches a printer (digital copy machine, column 7, line 8) for printing a first image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1) based on

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supplied first print data on a printing medium, comprising: image processing means (color tone setting circuit, column 8, line 50) for applying predetermined image processing to the first print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the first image based on the first print data subjected to the image processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting  $y_0$ ,  $y_2$ ,  $m_0$ ,  $m_2$ , column 9, lines 1-15), generates second print data (the repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 2: Tsuboi teaches wherein the frame image is formed by arranging the first image ( $m_1$ ,  $y_1$ ,  $c_1$ , fig. 7) in the center and arranging the second images (e.g.,  $y_0$ ,  $m_0$ ,  $c_1$ , fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

Regarding claim 3: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g.,  $y_0$ ,  $y_1$ ,  $y_2$ , etc, fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

Regarding claim 4: Tsuboi teaches a printer (digital copy machine, column 7, line 8) for printing a first image ( $m_1$ ,  $y_1$ ,  $c_1$ , fig. 7, column 8, lines 37-68, column 9, line 1) based on

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supplied first print data on a printing medium, comprising: operation input means (the function part of the printer that set the color adjustment coefficient, column 9, lines 30-35) for selecting predetermined image processing for first print data (e.g., setting c1, m1, y1, column 9, lines 1-2); image processing means (color tone setting circuit, column 8, line 50) for applying the selected predetermined image processing to the first print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the first image based on the first print data subjected to the image processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting y0, y2, m0, m2, column 9, lines 1-15), generates second print data (the repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 5: Tsuboi teaches wherein the frame image is formed by arranging the first image (m1, y1, c1, fig. 7) in the center and arranging the second images (e.g., y0, m0, c1, fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

Regarding claim 6: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g., y0, y1, y2, etc, fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

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Regarding claims 7-12: Claims 7-12 are claiming method steps for the printer discussed in claims 1-6; please see discussion on claims 1-6.

Regarding claim 13: Tsuboi teaches a printing medium (copying paper, column 9, line 1) for a printer (fig. 2, digital copy machine, column 7, line 8) which prints a first image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1) based on supplied first print data on a printing medium, the printer comprising: image processing means (color tone setting circuit, column 8, line 50) for applying predetermined image processing to the first print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the first image based on the first print data subjected to the image processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting y0, y2, m0, m2, column 9, lines 1-15), generates second print data (the repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 14: Tsuboi teaches wherein the frame image is formed by arranging the first image (m1, y1, c1, fig. 7) in the center and arranging the second images (e.g., y0, m0, c1, fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

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Regarding claim 15: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g.,  $y_0$ ,  $y_1$ ,  $y_2$ , etc., fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

Regarding claim 16: Tsuboi teaches wherein the predetermined arrangement pattern is the one in which the first image ( $m_1$ ,  $y_1$ ,  $c_1$ , fig. 7) is arranged in the center and the second images (e.g.,  $y_0$ ,  $m_0$ ,  $c_1$ , fig. 7) of several kinds are arranged centering the first image on the basis of the parameter values (e.g.,  $y_0$ ,  $y_1$ ,  $y_2$ , fig. 7) of the second images.

Regarding claim 17: Tsuboi teaches wherein parameter value ( $c_0$ ,  $y_0$ ,  $m_0$ , column 9, lines 1-10) is comprised of the color components ( $c$ ,  $m$ ,  $y$ , column 9, lines 1-10) of the color adjustment processing for the image, and the parameter value (e.g.,  $c_2$ ,  $m_2$ ,  $y_2$ , column 9, lines 1-10) of the second image is the value of the color components ( $c$ ,  $m$ ,  $y$ ) changed on the basis of the parameter value of the first image by the color adjustment processing (column 9, lines 1-10).

Regarding claim 18: Tsuboi teaches wherein the predetermined operation mode represents at least one processing out of the color adjustment processing, (column 9, line 4), lightness adjustment processing, masking processing, gama compensation processing, enlargement/reduction processing, sharpness adjustment processing, and trimming processing.

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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,809,366 (Yamakawa) teaches to print a test image with different tones.

US 5,377,013 (Oka et al) teaches to display test images with different tones.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892

October 28, 2003

King Y. Poon